

of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8507. Adulteration and misbranding of cottonseed meal. U. S. * * * v. De Soto Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11946. I. S. No. 10903-r.)

On April 29, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the De Soto Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in the name of L. B. Lovitt & Co., in violation of the Food and Drugs Act, as amended, on or about December 10, 1918, from the State of Tennessee into the State of Kentucky, of a quantity of an article, described in a contract and shipped as cottonseed meal, "Prime—Seven & one-half ($7\frac{1}{2}\%$) per cent ammonia," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.93 per cent of nitrogen, or an equivalent of 7.21 per cent of ammonia.

Adulteration of the article was alleged in the information for the reason that cottonseed meal containing less than an equivalent of $7\frac{1}{2}$ per cent of ammonia had been substituted in whole or in part for cottonseed meal containing an equivalent of $7\frac{1}{2}$ per cent of ammonia.

Misbranding was alleged for the reason that the statement, to wit, " $7\frac{1}{2}\%$ ammonia," borne on the contract of sale, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained an equivalent of $7\frac{1}{2}$ per cent of ammonia, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained an equivalent of $7\frac{1}{2}$ per cent of ammonia, whereas, in truth and in fact, it did not contain an equivalent of $7\frac{1}{2}$ per cent of ammonia, but contained a less amount. Misbranding was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 28, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8508. Adulteration and misbranding of olive oil. U. S. * * * v. George P. Papadopoulos. Plea of guilty. Fine, \$25. (F. & D. No. 11950. I. S. Nos. 13736-r, 14781-r, 14782-r.)

On April 12, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George P. Papadopoulos, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on November 14, 1918, from the State of New York into the State of Connecticut, and on October 8, 1918, from the State of New York into the State of New Jersey, of quantities of olive oil which was adulterated and misbranded.

Examinations of samples of the article by the Bureau of Chemistry of this department showed that it contained cottonseed and corn oils, and that it was short in volume.

Adulteration of the article was alleged in the information for the reason that cottonseed oil and corn oil had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio il Toscano Brand Lucca-Style," "Net Contents Full One Gallon" (or "Full Half Gallon" or "Full One Quart") "Questo È il Famoso Olio il Toscano Perfetto per cucina E per Insalata, E Garéntito Dalla Piu Grande Ditta Importatrice Degli Stati Uniti," not corrected by the statement in inconspicuous type in an inconspicuous place, "Cotton Seed Salad Oil Slightly Flavored with Olive Oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was produced in the kingdom of Italy, and that each of the cans contained 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net, as the case might be, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was produced in the kingdom of Italy, and that each of the cans contained 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in large part of cottonseed oil and corn oil; said article was not produced in the kingdom of Italy, but was produced in the United States of America, and each of the cans did not contain 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the statements aforesaid purported said article to be a foreign product, when not so. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. On April 21, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8509. Adulteration and misbranding of cottonseed meal and misbranding of cottonseed cake. U. S. * * * v. F. W. Brode & Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11953; I. S. Nos. 7516-r; 11984-r.)

On April 20, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. W. Brode & Co., a corporation, Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 30, 1918, from the State of Tennessee into the State of Illinois, of a quantity of an article, described by shipper in letter as "38 $\frac{1}{2}$ % Protein Cottonseed Meal," which was adulterated and misbranded, and on or about February 7, 1919, from the State of Tennessee into the State of Kansas, of a quantity of an article, invoiced as cottonseed cake, which was misbranded. The articles in both shipments were unlabeled.

Analysis of a sample of the cottonseed meal by the Bureau of Chemistry of this department showed that it contained 37.5 per cent of protein.

Adulteration of the cottonseed meal was alleged in the information for the reason that cottonseed meal of less than 38.50 per cent protein had been substituted in whole or in part for cottonseed meal containing 38.50 per cent of protein, which it purported to be.

Misbranding of the articles in both shipments was alleged for the reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 26, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8510. Misbranding of Salubrin A. U. S. * * * v. 12 Dozen Bottles, More or Less, of Salubrin A. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10154. I. S. No. 5528-r. S. No. C-1183.)

On May 1, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 bottles of Salubrin